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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/734,627	12/12/2003	Jayashankar Bharadwaj	042390.P17845	2012	
45209 INTEL/BLAKE	7590 06/27/2008 ELY		EXAMINER		
	AD PARKWAY	MOLL, JESSE R			
SUNN I VALE,	, CA 94085-4040		ART UNIT	PAPER NUMBER	
			2181		
		MAIL DATE	DELIVERY MODE		
			06/27/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Communication		Application	on No.	Applicant(s)				
		10/734,62	77	BHARADWAJ ET AL.				
	Office Action Summary	Examiner		Art Unit				
		JESSE R.	MOLL	2181				
Period fo	The MAILING DATE of this communicati or Reply	on appears on the	cover sheet with the	correspondence ad	ddress			
WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR INCHEVER IS LONGER, FROM THE MAILINGS of time may be available under the provisions of 37 SIX (6) MONTHS from the mailing date of this communical period for reply is specified above, the maximum statutory re to reply within the set or extended period for reply will, be reply received by the Office later than three months after the part of the property	NG DATE OF TH CFR 1.136(a). In no evention. period will apply and will y statute, cause the app	IIS COMMUNICATIO ent, however, may a reply be ti Il expire SIX (6) MONTHS from ication to become ABANDONE	N. mely filed the mailing date of this control (35 U.S.C. § 133).				
Status								
1) 又	Responsive to communication(s) filed or	n 04 January 200	Q					
-								
3)	This action is FINAL . 2b) This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
٥)ا	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
	closed in accordance with the practice d	nder Ex parte Qu	ayıc, 1999 O.D. 11, 4	55 O. G . 215.				
Disposit	ion of Claims							
4)🛛	Claim(s) 1-46 is/are pending in the applie	cation.						
	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)🛛	☑ Claim(s) <u>1-34</u> is/are allowed.							
6)🖂	☑ Claim(s) <u>35-46</u> is/are rejected.							
-	Claim(s) is/are objected to.							
-	Claim(s) are subject to restriction	and/or election re	equirement.					
	on Papers		•					
	•							
•	The specification is objected to by the Ex							
10)	The drawing(s) filed on is/are: a)[
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
_	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority ι	ınder 35 U.S.C. § 119							
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 								
2) Notice (3) Inform	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-9 mation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	148)	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal I 6) Other:	ate				

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DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 35-46 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are directed to a "system comprising an integrated compiler". A compiler by itself can be merely software per se. The software (the compiler) by itself is not a process, machine, manufacture or composition of matter unless claimed on either a computer readable storage medium. Examiner suggest changing the claim to either have the compiler on a computer readable storage medium or limiting the compiler to be a physical computer for compiling code instead of merely software.

Allowable Subject Matter

- 2. Claims 1-34 allowed.
- 3. The following is a statement of reasons for the indication of allowable subject matter: Srinivasan, and all other prior art of record, do not teach or fairly suggest allocating a register when the live range spans a function call in combination with the other limitations in the independent claims.

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Response to Arguments

4. Applicant's arguments, see remarks, filed 3 March 2007, have been fully considered and are persuasive. The rejection of claims 1-46 has been withdrawn. However, additional issues have arisen because of the amendment and are explained in detail above.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JESSE R. MOLL whose telephone number is (571)272-2703. The examiner can normally be reached on M-F 10:00 am - 6:30 pm EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571)272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jesse R Moll Examiner Art Unit 2181

/J. R. M./ Examiner, Art Unit 2181

/Alford W. Kindred/ Supervisory Patent Examiner, Art Unit 2181